

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 4:15CR00483 JAR
)
DONALD BRIAN HAVEY, D.C.,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, on October 22, 2015, Defendant Donald Brian Havey entered into a Plea Agreement with the United States wherein Defendant agreed to the forfeiture of any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense and further agreed to the entry of a money judgment against Defendant and in favor of the United States in the amount of \$2,276,221.00;

AND WHEREAS, because the Court has not identified specific property warranting forfeiture at this time, the Court may enter a forfeiture order describing the property to be forfeited in general terms pursuant to Federal Rule of Criminal Procedure 32.2(b)(2)(C);

AND WHEREAS, pursuant to Federal Rule of Criminal Procedure 32.2(b)(6) and (c)(1), to the extent that the Court's forfeiture order consists of a money judgment and does not identify specific property to be forfeited, neither notice to third parties nor an ancillary proceeding is required;

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. That Defendant is ordered to forfeit to the United States any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense.
2. That a money judgment is entered against Defendant and in favor of the United States in the sum of \$2,276,221.00, and that Defendant is directed to pay that amount.
3. That pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States is hereby authorized to conduct any discovery permitted by the Federal Rules of Civil Procedure in order to identify, locate, or dispose of any property subject to forfeiture under this order, including depositions, interrogatories, subpoenas, and requests for production.
4. That this Order will be amended under Federal Rule of Criminal Procedure 32.2(e) in the event that specific property warranting forfeiture is identified.
5. That pursuant to Federal Rule of Criminal Procedure 32.2(b)(4)(A), this Order shall become final as to Defendant upon sentencing.
6. That the United States District Court shall retain jurisdiction for the purpose of enforcing this Order and permitting amendments hereto as set forth in Federal Rule of Criminal Procedure 32.2.

The Clerk is hereby directed to send copies of this order to all counsel of record and the United States Marshal.

So ordered this 9th day of December, 2015.


HONORABLE JOHN A. ROSS
UNITED STATES DISTRICT JUDGE